



WORK TIME, WORK SITE AND HOURS OF WORK

Directive 4 - 102

Date of Issue: July 2013 Amends/Cancels: Chapter IV Sec 2

I. PURPOSE

The purpose of this Directive is to establish written policy governing work time, work site and hours of work.

II. POLICY

It is the responsibility of all Department of General Services Maryland Capitol Police (DGS-MCP) employees to be present for work at the site and during the normal working hours of the Unit or Detachment, to which the employee is assigned, unless the employee is absent with the supervisor's prior approval. Employees are required to maintain and sign their own time sheets as an attestation to their accuracy and completeness.

III. DEFINITIONS

1. "Work site" is the physical location to which the employees are assigned to perform their duties and responsibilities, as determined by the supervisor.
2. "Time in" and "time out" are the actual times the employee reports for and leaves work, respectively.
3. "Absence" means any amount of time that the employee is not available for work without the consent of the employee's supervisor and is unable to perform assigned duties and responsibilities.
4. "Licensed health care provider" includes any of the licensed or certified medical providers list, i.e., physician, physical therapist, clinical psychologist, dentist, oral surgeon, chiropractor, podiatrist, certified nurse practitioner, certified nurse-midwife, licensed certified social worker-clinical, or an accredited Christian Science Practitioner.

IV. PROCEDURES

1. Hours of Work
 - a. All regular patrols and shifts will be of eight hours duration.

- b. Employees assigned to DGS-MCP are considered to be “essential employees” rendering service 24 hours a day. This includes all police officers, security officers and police communications operators.
 - c. Commencement and termination of tours of duty should reflect the needs of each Detachment or Unit. Detachment Commanders shall be accountable for the proper management of their resources and shall be permitted to structure the hours of patrol to insure the most effective deployment of manpower.
- 2. Each employee is to maintain a bi-weekly time sheet, to record the actual time worked. Employees are required to maintain their own time sheet.
- 3. Meals
 - a. Consistent with available manpower and the need to maintain Law Enforcement and Security services, employees *may* be permitted time during each work shift to take meals.
 - b. Time allowed for meals taken during special assignments, e.g. training and emergencies will be governed by the circumstances of the assignment.
 - c. While taking meals, DGS-MCP employees will remain available for immediate recall.
- 4. Authorization to work overtime must be approved by the supervisor prior to the overtime hours worked. It is the supervisor’s responsibility to approve the need for extra hours worked and insure that accurate time records are kept concerning the work hours and the availability of funds for payment to those employees eligible to earn cash overtime.
 - a. Security Officers, Police Communication Operators and all civilian members of DGS-MCP will be paid cash overtime at time and one-half for those hours worked in excess of 40 hours per week.
 - b. Law enforcement personnel will be compensated at time and one-half for all hours worked in excess of eight (8) hours per day.
 - c. Generally, employees who are eligible for cash overtime payments will be compensated accordingly and will not be permitted to earn compensatory leave in lieu of cash overtime payment.
- 5. Executive, administrative and professional employees whose classifications are not designated to receive cash overtime payments are eligible to earn compensatory leave. Employees authorized by the supervisor to work beyond the standard work hours must work a minimum of one hour beyond the employee’s standard workday. The total compensatory time earned is equal to the first hour worked plus any time worked beyond the initial qualifying hour. Compensatory time worked in less than one (1) hour increments and compensatory leave not used within one year of the date earned will be lost.

6. Employees who would like to work before the established starting time or after the established quitting time must obtain the prior approval of their immediate supervisor. Time worked without such approval will not be compensated in any manner.
7. If an employee is absent, the employee's supervisor will enter the appropriate indicator on the time record which accounts for the employee's absence. All such entries are to be initialed by the supervisor. The indicators used will distinguish between the types of paid leave (e.g., annual, sick, personal, compensatory, etc.) or leave without pay.
8. Annual leave, personal leave, compensatory leave and leave without pay must be requested and approved in advance by the employee's supervisor on the appropriate leave form (State of MD. Form 16) before it's taken. When circumstances arise where advanced approval is not possible, the employee must personally notify the on duty shift supervisor of their assigned Detachment or Unit, concerning the nature of the circumstances and the type of leave requested. Such notification must be made at least one hour before the start of the scheduled shift.
9. Sick leave will be granted to employees who notify their supervisor of their illness in accordance with the DGS-MCP Directive on Sick Leave (4-103). An employee absent for more than five or more consecutive working days is required to submit an original certificate, signed personally by a qualified health care provider, with the time record in order to substantiate such absences.
10. Emergency absences of one hour or less **may be granted** by the supervisor, provided the time is made up within the two week period covered by the time record in which the emergency absence occurred.
11. Any requests for leave of absence without pay must be approved by the supervisor. It is the supervisor's responsibility to determine whether individual circumstances warrant documentation to substantiate such absences.
12. A leave of absence without pay exceeding 30 calendar days must be reported to the DGS Personnel Division and must be accompanied by an official request for this type of leave. Request forms may be obtained from the Personnel Division.
13. Once an employee has submitted notice of resignation from State service, the employee may not use more than ten (10) days of annual, personal, or compensatory leave, or any combination of those types of leave, between the time notice is given and the effective date of resignation.
14. Upon separation from State service, employees will be paid for any unused annual leave. Executive, administrative and professional employees who are not eligible for cash overtime payments will be paid for a maximum of two days compensatory leave earned. Employees who earned compensatory leave in lieu of cash overtime, payments will be paid for all earned compensatory leave.

15. When transferring from one State agency to another, executive, administrative and professional employees who are not eligible for cash overtime payments may transfer up to ten days of compensatory leave to the new agency and may also be authorized to use any remaining compensatory leave before the effective date of transfer. Employees eligible for cash overtime payments may transfer all the compensatory leave earned in lieu of cash overtime. All employees are entitled to transfer all other earned leave balances.